



Agreement on the Conservation of Albatrosses and Petrels
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**Incidental Mortality in Fisheries:
The role and performance of RFMOs in the
conservation of albatrosses and petrels:
opportunities for ACAP**



Incidental Mortality in Fisheries

The role and performance of RFMOs in the conservation of albatrosses and petrels: opportunities for ACAP

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BirdLife International

The role and performance of RFMOs in the conservation of albatrosses and petrels: opportunities for ACAP

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1. Overview

RFMOs have a central role to play in the conservation of albatross and petrel species, managing a number of the fisheries that are known, or likely, to be killing substantial numbers of albatrosses and petrels each year.

CCAMLR has demonstrated the scale of achievement that is possible through RFMO action, having reduced albatross and petrel bycatch in its regulated fisheries by over 99%. Under the international legal framework for the oceans, other RFMOs also have the duty to take actions to minimise bycatch of vulnerable non-target species such as albatrosses and petrels.

This paper presents a summary of the performance of key RFMOs in relation to bycatch of albatrosses and petrels and suggests actions by which ACAP and ACAP members may have a key role in facilitating change.

Key actions that are needed include:

- **Update RFMO conventions:** the conventions of some RFMOs have not yet been updated to reflect the new international legal framework for the oceans (e.g. the UN Fish Stocks Agreement), which has greatly expanded the role of RFMOs and established the key principles for sustainable ocean management. There are increasing calls for these RFMO conventions to be updated.
- **Establish regional on-board observer programs that use independent observers and which include mandatory collection of bycatch data:** CCAMLR's experience has demonstrated the importance of using independent observers to collect observer data.
- **Collect and disseminate seabird bycatch data:** prior to the establishment of regional observer programs, individual States can make a key contribution through collection of seabird bycatch data, particularly through structured research programs.
- **Require mitigation measures on longline vessels south of 30°S:** data from the Global Procellariiform Tracking Database (BirdLife International, 2004) indicate the concentrations of albatrosses and petrels south of 30°S. It is highly likely that seabird bycatch mitigation measures are necessary in longline fisheries operating in these areas.

The following factors influence possibilities for creating change within RFMOs:

- **Member States:** decision-making by RFMOs is informed by data/evidence prepared by the RFMO Secretariats, individual Member States and observer organisations, but any action or change relies on decision-making by the Member States, most RFMOs requiring consensus. The views of the Member States that are therefore key to achieving change.
- **Staff pressures:** the expanded role for RFMOs in sustainable ocean management has increased the pressure on financial resources and staff time within RFMO Secretariats. Provision of information by individual Member States and observer organisations may therefore be very valuable.

The ACAP Advisory Committee is invited to:

- Consider the recommendations in this paper
- Identify priorities for action by ACAP and ACAP members

2. Key RFMOs in relation to albatross and petrel distribution

BirdLife International has coordinated the establishment of the Global Procellariiform Tracking Database, which contains over 90% of the world's existing tracking data for albatrosses and petrels (BirdLife International, 2004). Analysis of albatross breeding data and range data has identified the following top five RFMOs in terms of overlap with albatross distribution:

(1) CCSBT, (2) WCPFC, (3) IOTC, (4) ICCAT, (5) CCAMLR.

For the petrels in the database (giant petrels and white-chinned petrel), important RFMOs include (1) ICCAT (2) CCAMLR and (3) CCSBT.

Further analysis of the spatial and temporal overlap between fishing effort and albatross and petrel distribution, along with robust estimates of bycatch rates, will refine the assessment of the risks posed to albatross and petrel populations by the fisheries of each RFMO. However, it is highly likely that seabird bycatch mitigation within all five of the RFMOs above would contribute substantially to the conservation of globally threatened albatross and petrel species.

Other RFMOs whose areas are important for particular albatross species include SEAFO, IPHC and IATTC, as well as the new RFMO that is planned in the Southern Indian Ocean (SIOFA¹), and the RFMO(s) to be established in the South Pacific through the Galapagos Agreement and/or a new RFMO announced at COFI 2005 by Australia and New Zealand. Fisheries managed by these RFMOs may have considerable local and regional significance for albatross and petrel populations.

3. Actions taken by RFMOs to reduce seabird bycatch

BirdLife International conducted a review of RFMOs in relation to their duties and performance in reducing bycatch of albatrosses and other species (Small, 2005). Table 1 provides a summary of the performance of six key RFMOs in relation to five important factors.

Currently, only CCAMLR has undertaken a comprehensive set of measures to reduce seabird bycatch. IOTC, ICCAT and WCPFC do not yet require any seabird bycatch mitigation measures. CCSBT has established a requirement for a streamer (Tori) line south of 30°S but, in BirdLife International's view, a key problem is that the overall effectiveness of, and compliance with, this measure is unknown or has not been made public.

In addition, while WCPFC has made a commitment to establishing a regional observer program with independent observers, CCSBT, ICCAT and IOTC currently have no such requirements. CCAMLR's experience has demonstrated that it is unreasonable to expect observer data to be credible unless it is collected by people who are independent of fishing operations.

However, there have been positive developments within all RFMOs in recent years, presenting opportunities for action by ACAP and ACAP members (RFMO membership listed in Table 2).

¹ This RFMO is referred to in the report (Small, 2005) as SWIOFC, as this was prior to announcement of the decision to create two new bodies: SWIOFC as an advisory body within EEZs in the region, and the proposal for SIOFA to cover the high seas.

Table 1. Summary of RFMO performance for six essential elements for bycatch reduction

| | CCSBT | WCPFC | IOTC | ICCAT | CCAMLR | IATTC |
|---|---|--|---|--|---|---|
| 1. Commitment to minimising bycatch | Convention includes role of collecting data on non-target species. However, on its website, CCSBT states one of its functions is to foster activities towards conservation of Ecologically Related Species (ERS) | Convention includes commitment to conserve associated/non-target/dependent species | No mention in convention, and no formal declaration, but role of Bycatch WG includes recommending measures to reduce bycatch. Members have also instructed Secretariat to collate bycatch data. | Has interpreted convention to include a duty to collect data on sharks and other fish caught within ICCAT fisheries, and ICCAT has encouraged members to minimise bycatch of seabirds, sharks, turtles and juvenile fish, but no formal declaration of commitment to reduce bycatch. | The convention covers all living marine species (excluding seals south of 60°S and whales, which are covered by other conventions). The conservation of non-target species is a central part of CCAMLR's convention | The Antigua Convention (not yet in force) includes a commitment to avoiding/minimising catch of non-target species. In addition, most IATTC members are members of AIDCP, which includes a commitment to reducing bycatch ² . IATTC has annual Bycatch Resolution. |
| 2. Bycatch Working Group (WG) | ERSWG meets every 2 years (4 days). Seabird bycatch is main topic under discussion | Plans to establish a WG that will meet annually. Likely to consider seabirds. | First meeting July 2005 (1 day). BirdLife invited to participate | Sub-Committee on Bycatch meets every year (1 day) | IMAF meets every year (5 days) | IDCP meets every year (dolphin bycatch). Bycatch WG meets every 2 years (3-4 days) |
| 3. Onboard observer program | Requests 10% coverage. Not independent. Has observer program standards but seabird bycatch data are voluntary. Data not yet centralised (members submit national reports). CCSBT members have conducted seabird bycatch research. | Plans regional independent program (% coverage not yet established. Currently low coverage by observer programs in area) | Has encouraged members to conduct observer programs and collect discard data, but programs are not mandatory. Has not yet set observer standards. In 1998, Members agreed to collect data on non-target species, but this was not formalised in a Resolution. | Has encouraged members to conduct observer programs, and to collect data on seabird, turtle and shark bycatch, but programs are not mandatory. Has not yet set observer program standards. | Mandatory regional observer program using independent observers. Data collected centrally. Bycatch data a priority | Regional observer program for large purse seine vessels. 50% observers are independent. Cetacean and turtle data a priority. No program yet for longline vessels (c. 10% catch) or small purse seines. |
| 4. Seabird bycatch mitigation measures | Require a single streamer line south of 30°S | None | None | None | Comprehensive set of measures. Reduced seabird bycatch in legal fisheries by > 99% | None |
| 5. Education & outreach | Included in role of ERSWG (stated on website). Has produced pamphlets on seabirds & sharks in 4 languages. | None | None | None | Has produced brochures on seabird bycatch and seabird ID in 4 languages. | Training program for captains on avoiding bycatch and minimising mortality of dolphins and turtles. |

²All IATTC members except France, Japan, Bolivia and Colombia, are members of the International Dolphin Conservation Program (IDCP). The Agreement on the IDCP includes avoiding, reducing and minimizing bycatch and discards of juvenile tunas and non-target species.

4. Key needs, actions and opportunities for consideration by ACAP

(i) CCSBT

Key needs

- (i) Assess compliance with and effectiveness of, CCSBT's current requirement for the use of a streamer (Tori) line. One mechanism for this assessment is through a strengthened regional observer program (see below). In addition, ensure that checking streamer line compliance is part of any strengthened program for Monitoring, Control and Surveillance.
- (ii) Improve observer program to one in which observer data are submitted to the CCSBT Secretariat, collection of bycatch data on seabirds and other vulnerable non-target species is mandatory, and the program uses independent observers.
- (iii) Standardise (or, at minimum, require reporting on) methodology for collecting seabird bycatch data
- (iv) Using data collected from (i) and (ii), supplement, as necessary, the requirement for a single streamer line with requirements for additional mitigation measures e.g. paired streamer lines, snood weighting, dyed baits, etc.

Actions for consideration

- ACAP to express support for Australia and New Zealand's request at ERSWG 2004 for strengthening of observer standards. ACAP could suggest making mandatory the requirement for recording bycatch of non-target species and the development of standardised recording methods for seabird bycatch rates (or the requirement to document the methodologies used). ACAP could consider preparing a letter to CCSBT to outline these requests
- ACAP and ACAP members to support CCSBT undertaking a review of overall seabird bycatch within CCSBT fisheries and for this to be undertaken in collaboration with ACAP and BirdLife International, making use of information from the Global Procellariiform Tracking Database
- ACAP representative to attend CCSBT Scientific Committee meeting in September and/or next ERSWG meeting.

Upcoming meetings

- CCSBT Scientific Committee 5-8 September 2005, Taipei, Taiwan
- CCSBT Commission meeting 11-14 October 2005, Taipei, Taiwan
- CCSBT Ecologically Related Species Working Group (ERSWG) 20-23 February 2006, Kaohsiung, Taiwan

(ii) ICCAT

Key needs

- (i) Update ICCAT's convention to bring it in to line with UN Fish Stocks Agreement, including expansion of mandate to include the conservation of non-target, associated and dependent species
- (ii) Establish a regional observer program which uses independent observers, and which includes mandatory collection of data on bycatch of non-target species, including seabirds. Pending establishment of a regional program, set requirements for % coverage of national observer programs
- (iii) Establish standardised methods for observer program data collection, including collection of seabird bycatch data.
- (iv) Conduct promised assessment of ICCAT fisheries on seabirds (see ICCAT's Seabird Resolution 2002)
- (v) Include seabird experts at meetings of ICCAT Bycatch Sub-Committee
- (vi) Implement requirements for seabird bycatch mitigation measures as/where necessary and establish systems to monitor compliance with and effectiveness of these measures.

Actions for consideration

- Include seabird experts within ACAP member delegations to the meeting of the ICCAT Bycatch Sub-Committee.
- At Bycatch Sub-Committee, Scientific Committee and Commission meetings, press for
 - a) The need for a regional observer program, including collection of data on seabird bycatch, and centralised collection of these data by ICCAT
 - b) In the meantime, the need to establish observer program standards and recording forms, including methodology for collection of seabird bycatch data
 - c) The need for ICCAT to undertake its promised review of the impact of ICCAT fisheries on seabirds, with which ACAP and/or BirdLife is willing to assist, and for ICCAT to establish a timeline for completion of this report.
- ACAP members in the EC (UK, France and Spain): consider options for seeking EC support for (a) (b) and (c)
- A letter from ACAP to support collaboration between ICCAT/BirdLife to assess overlap between ICCAT longline fisheries and albatross and petrel distribution
- ACAP members to collect seabird bycatch data in their ICCAT fisheries (using standardised methodology if possible) and to collate these data (e.g. informing ACAP as well as ICCAT)
- ACAP members to support the update of ICCAT convention to bring it in to line with UN Fish Stocks Agreement, including expansion of mandate to include conservation of non-target, associated and dependent species.

Upcoming meetings

- Scientific Committee (SCRS) meeting, 26 September -7 October 2005, Madrid
- The ICCAT Bycatch Sub-Committee will meet for two half-days during this meeting (scheduled afternoon 27 September and morning 5 October)

(iii) IOTC

Key needs

- (i) Update IOTC convention to bring it in to line with UN Fish Stocks Agreement, including expansion of mandate to include conservation of non-target, associated and dependent species
- (ii) Establish a regional observer program which uses independent observers and which includes mandatory collection of data on bycatch of non-target species, including seabirds. Pending establishment of a regional program, set requirements for % coverage of national observer programs (as for ICCAT, above)
- (iii) Establish standardised methods for observer program data collection, including collection of seabird bycatch data (as for ICCAT, above)
- (iv) Implement requirements for seabird bycatch mitigation measures as/where necessary and establish systems to monitor compliance with and effectiveness of these measures
- (v) Ensure that the new IOTC Bycatch Working Group becomes fully active

Actions for consideration

- ACAP members to collect seabird bycatch data in their IOTC fisheries (using standardised methodology if possible) and to collate these data (e.g. informing ACAP as well as IOTC)
- A letter from ACAP to support collaboration between IOTC/BirdLife to assess overlap between IOTC longline fisheries and albatross and petrel distribution
- Participation and active involvement by ACAP members Australia, France, UK, South Africa (and ACAP representative?) in the new IOTC Bycatch Working Group
- Express ACAP's support for the recent (20 July) meeting of the Bycatch Working Group and express support for annual meetings of this group
- At IOTC meetings, ACAP and ACAP members to express support for development of an IOTC regional observer program, including collection of data on seabird bycatch, and centralised collection of these data by IOTC, and, in the meantime, the need to establish observer program standards and recording forms, including methodology for collection of seabird bycatch data.
- ACAP members in the EC (UK, France and Spain): consider options for seeking EC support for a regional observer program
- ACAP members to support the update of IOTC's convention to bring it in to line with UN Fish Stocks Agreement, including expansion of mandate to include conservation of non-target, associated and dependent species.

Upcoming meetings

- First meeting of the IOTC Bycatch Working Party 20 July 2005, Phuket
- IOTC Scientific Committee meeting 7-11 November 2005, Victoria, Seychelles

(iv) WCPFC

The WCPFC came into force in 2004. Its convention is largely based on the UN Fish Stocks Agreement.

Key needs

- (i) Bycatch working group to consider seabird bycatch (likely)
- (ii) Regional observer program to collect seabird bycatch data (likely)

Actions for consideration

- Participation by ACAP and ACAP members in the annual meetings of the Ecosystem and Bycatch Working Group.

Upcoming meetings

- WCPFC Scientific Committee 18-19 August 2005, Noumea, New Calendonia.
- The Ecosystem and Bycatch Working Group will hold its first meeting during this time, scheduled for the morning of 13 August 2005.

(v) IATTC

Need to discover outcomes from IATTC's recent meeting where there was consideration of seabird bycatch

Key needs

- (i) IATTC to establish observer program on longline fishery as recommended by IATTC Bycatch Working Group (the longline fisheries account for about 10% IATTC catch)
- (ii) Bycatch Working Group to consider seabird bycatch (see Table 1)

Actions for consideration

- Participation by ACAP and ACAP members at IATTC Bycatch Group meetings
- Advocacy by Member States for longline observer program
- Express ACAP's support for a collaboration between IATTC/BirdLife to undertake an initial assessment of overlap between IATTC longline fisheries and albatross and petrel distribution.

Upcoming meetings

- IATTC Bycatch Working Group – due to meet some time early 2006 (January?)

(vi) CCAMLR

CCAMLR has requested BirdLife to prepare an assessment of overlap between CCAMLR fisheries and albatross & petrel distribution in the Global Procellariiform Tracking Database

Actions for consideration

- Invite CCAMLR to share its experience with other RFMOs on (i) best practices for regional observer programs (ii) standard methodology for recording seabird bycatch.

(vii) OTHER RFMOs

Including SEAFO, SIOFA, the Galapagos Agreement or new RFMO in South Pacific

Actions for consideration

- ACAP and ACAP members to support the development of regional observer programs within these RFMOs and the development of standardised recording of seabird bycatch within these programs.

5. Summary

RFMOs have a key role to play in the reduction of bycatch of albatrosses and petrels, and a duty to do so under the international legal framework for the oceans. CCAMLR has demonstrated the potential of RFMOs to reduce seabird bycatch to negligible levels. For other RFMOs, key needs include:

- Update RFMO conventions to reflect the UN Fish Stocks Agreement (if not already updated)
- Establish regional observer programs that use independent observers, and in which collection of bycatch data is mandatory
- Require seabird bycatch mitigation measures where necessary, particularly in longline fisheries south of 30°S, and establish mechanisms to monitor compliance with, and effectiveness of, these measures.

There are a range of opportunities by which ACAP and ACAP members can play a key role in facilitating these changes.

Table 2. Membership of ACAP parties in RFMOs

| State | ACAP | CCAMLR | CCSBT | WCPFC | IOTC | ICCAT | SEAFO | Galap.Ag. | IATTC |
|-----------------|------|--------|-------|----------------|------|----------------|----------------|-----------|-------|
| Australia | R | M | M | M | M | | | | |
| Ecuador | R | | | | | | | M | M |
| France | R | M | | M | M | M ³ | | | M |
| New Zealand | R | M | M | M | | | | | |
| Peru | R | S | | | | | | S | M |
| South Africa | R | M | ? | | C | M | S | | |
| Spain | R | M | | | | | | | M |
| UK | R | M | | ? ⁴ | M | M ⁵ | S ⁶ | | |
| Argentina | S | M | | | | | | | |
| Brazil | S | M | | | | M | | | |
| Chile | S | M | | | | | | M | |
| Namibia | P | M | | | | M | M | | |
| Norway | P | M | | | | M | M | | |
| USA | P | M | | C | | M | S | | M |
| EC ⁷ | | M | | M | M | M | M | | C |

Key: R = ratified/acceded/approved, S = signatory, P = non-member but present at meetings, M = member, C = cooperating non-member.

Reference:

BirdLife International (2004). Tracking Ocean wanderers: the global distribution of albatrosses and petrels. Results from the Global Procellariiform Tracking Workshop, 1-5 September 2003, Gordon's Bay, South Africa. Cambridge, UK: BirdLife International.

³ On behalf of St Pierre & Miquelon

⁴ The UK participated in the Multilateral High-Level Conference on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific on behalf of Pitcairn, Henderson, Ducie and Oeno Islands

⁵ On behalf of UK Overseas Territories

⁶ On behalf of St. Helena and its dependencies, Tristan Da Cunha and Ascension Island

⁷ The EC is not a member of ACAP, but is included in this table since France, Spain and UK are members of the EU